

### REMARKS

This amendment is submitted in response to the Examiner's Action dated July 10, 2003, having a shortened statutory period set to expire October 10, 2003. In that Action, the Examiner has objected to the drawings, noting the reference sign pointing to the personal computer monitor is labeled 17 in the drawings but is referred to in the specification as 11. With this amendment Applicant submits a proposed drawing correction in which the label within Figure 1 is altered to correctly reflect the description as set forth within the specification.

The Examiner has also urged that Figure 1 be designated by a legend such as "prior art" and, based upon my careful consideration of the Examiner's comment, the proposed drawing correction contains such indicia.

The Examiner has also objected to Figure 1 under 37 CFR § 1.83(a), believing that figure fails to show covers which may be secured against tampering, as described in the specification. Applicant has proposed an amendment to that drawing indicating a cover 13 on system unit 12 which should satisfy the Examiner's objection.

The Examiner has also objected to the drawings as failing to comply with 37 CFR § 1.84(p)(5) for including reference signs which are not mentioned within the description. Specifically, reference numerals 40, 42, 44, 46, 48, 50, 52, 54, 56, 58, 60, 62, 64 and 66 are not described in the present specification.

By the amendment submitted herewith Applicant has entered a description of the flowchart of Figure 3 and urge that such description does not constitute new matter as the description merely conforms the specification to the elements present within Figure 3. Approval of this amendment by the Examiner is respectfully requested.

Upon approval by the Examiner of the proposed drawing corrections submitted herewith, a corrected drawing will be submitted.

The Examiner has also objected to the title of the invention and the disclosure, noting numerous informalities. Based upon a careful consideration of the Examiner's comments, the amendments submitted herewith are believed to address those objections.

The Examiner has also objected to Claim 3, noting an informality therein and, by an amendment to Claim 3, that informality has been addressed and withdrawal of the Examiner's objection is respectfully requested.

Next, the Examiner has rejected Claims 1-9 under 35 USC § 102(a) as being anticipated by Frisch, *Essential System Administration*, hereinafter referred to as Frisch. That rejection is respectfully traversed. Frisch, as noted by the Examiner, discloses methods for establishing levels of security associated with particular files within a Unix operating system. Frisch indeed discloses how to store user profile information depicting various methodologies wherein each user has a unique ID and password, and wherein each user has a security access level with respect to each file within the system. Periodically, throughout the Examiner's description, the Examiner refers to a reference described as "Hirsch"; however, the Applicant assumes the Examiner was continuously referring to the Frisch reference and has responded to the Examiner's position based upon that assumption.

As noted by the Examiner, Frisch teaches that unsuccessful login attempts may be monitored and that "upon inspection of the /etc/security/user file, an administrator can deny a user having a suspicious login profile from accessing the operating system."

Applicant agrees with each assertion of the Examiner but notes that the claims in the present application are not directed to a security system for limiting access to files as described within Frisch. Rather, Claim 1, for example, describes the generation of a "security profile" in response to "the system is turned on" and further that that security profile reflects features including "the number of unsuccessful power-on password attempts and at least one other factor chosen from time of day, day of week, and security level of authorization of the user..."

Applicant has carefully examined Frisch and notes that, while Frisch is replete with examples of security profiles associated with users and utilized to access particular files within the computer system, Frisch is entirely and absolutely silent on the subject of generating a security profile in response to a system being powered on, wherein that security profile reflects particular features including the number of unsuccessful power-on password attempts and at least one other factor chosen from the list of factors set forth within Claim 1. Consequently, Applicant respectfully urges that Frisch cannot be said to show or suggest, let alone anticipate, the invention set forth within Claims 1-6 and withdrawal of the Examiner's rejection of those claims under this reference is respectfully requested.

By the amendment submitted herewith to Claim 7, Applicant has clarified the security profile recited therein. The Examiner's rejection of Claims 7-9 over Frisch not believed to be well-founded in view of the amendments submitted herewith, as Claim 7 has now been amended to recite those features set forth above with respect to Claim 1. Consequently, Applicant asserts that Frisch cannot be said to anticipate, show or suggest the invention set forth within Claims 7-9 and withdrawal of the Examiner's rejection is respectfully requested.

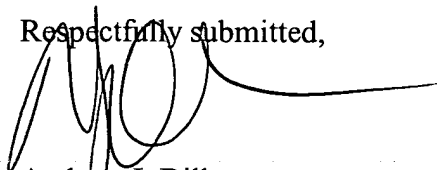
The Examiner has also rejected Claim 10 under 35 USC § 103(a) as being unpatentable over Frisch and further in view of Schmidt, United States Patent No. 5,912,621. The Examiner cites Schmidt for its teaching of the utilization of a cover to protect a computer from the physical threats; however, no combination of Schmidt with Frisch can be said to show or suggest the invention set forth within the claims of the present application in which a security profile is generated when a system is powered on wherein that security profile reflects features including the number of unsuccessful power-on password attempts and at least one other factor chosen from time of day, day of week, and security level of authorization of the user as set forth expressly within the claims of the present application. Consequently, withdrawal of the Examiner's rejection of Claim 10 is also respectfully requested.

The Examiner has rejected Claim 11 as unpatentable under 35 USC § 103(a) as being unpatentable over Frisch in view of LaPointe, United States Patent No. 5,606,615. Claim 11 has been cancelled and the Examiner's rejection of this claim is rendered moot.

In view of the above Applicant urges that Claims 1-10 define patentable subject matter over the cited combination of references relied upon by the Examiner and withdrawal of all rejections and passage of this application to issue is therefore respectfully requested.

No extension of time is believed to be necessary. However, in the event an extension of time is required, that extension of time is hereby requested. Please charge any fee associated with an extension of time to IBM Corporation Deposit Account No. **50-0563**.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Andrew J. Dillon', with a long horizontal flourish extending to the right.

Andrew J. Dillon

*Reg. No. 29,634*

BRACEWELL & PATTERSON, L.L.P.

P.O. Box 969

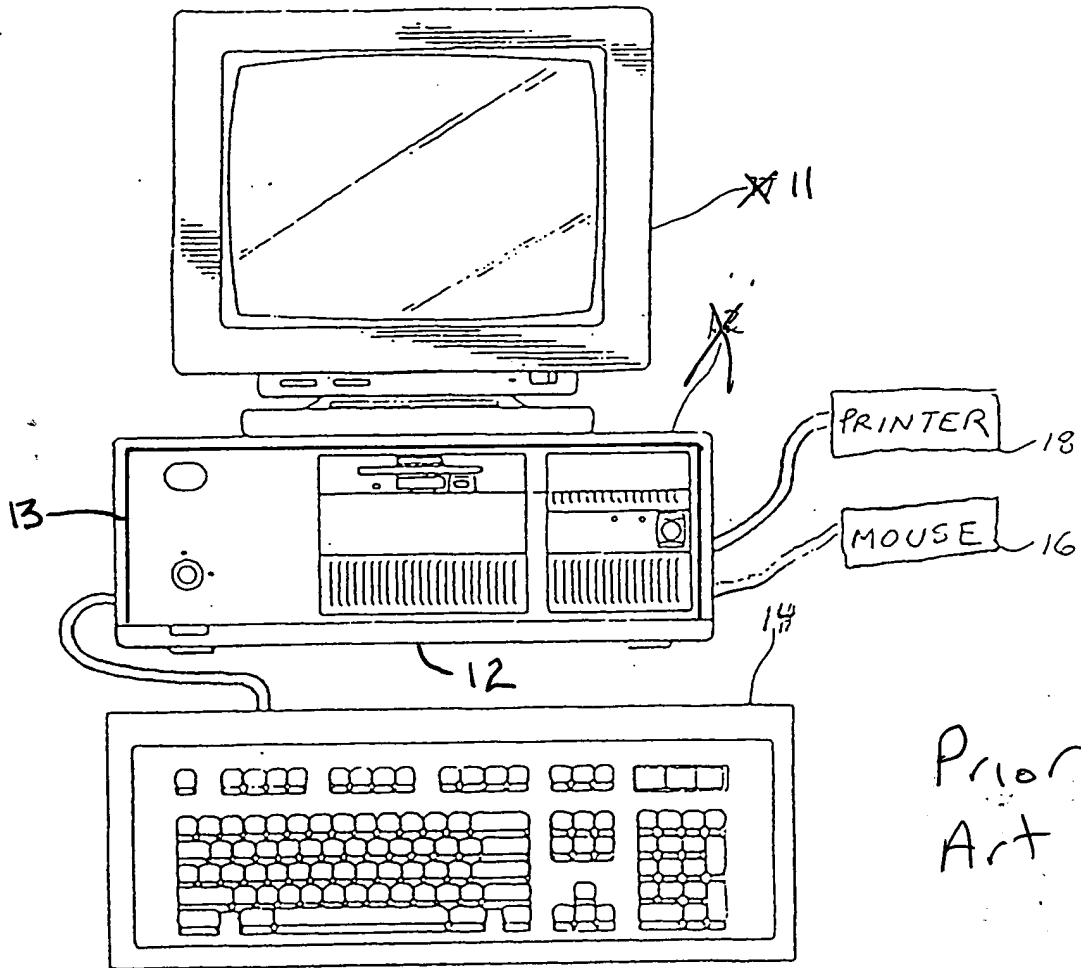
Austin, Texas 78767-0969

(512) 542-2100

ATTORNEY FOR APPLICANTS



# Proposed Drawing Correction



Prior  
Art

FIG. 1

10 ↗